

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
ELKINS

JOSHUA WINCE, DELIA LOFTIS,
and CARLTON WHITE, individually
and on behalf of all others similarly
situated,

Plaintiffs,

v.

Civil Action No. 2:09-CV-135
(BAILEY)

EASTERBROOKE CELLULAR
CORPORATION, NEW CINGULAR
WIRELESS PCS, LLC; AT&T MOBILITY
II LLC; AT&T MOBILITY LLC; AT&T INC.;
and JOHN DOES 1 THRU 10,

Defendants.

**ORDER GRANTING JOINT MOTION TO STAY PENDING RESOLUTION OF
DEFENDANTS' MOTION TO COMPEL ARBITRATION**

On this day, the above-styled civil action came before this Court upon the parties' Joint Motion to Stay All Proceedings Pending Resolution of Defendants' Motion to Compel Arbitration [Doc. 13], filed January 7, 2010. In their motion, the parties seek to stay this matter pending resolution of Defendants' Motion to Compel Arbitration Pursuant to the Federal Arbitration Act With Supporting Memorandum of Law [Doc. 8], which does not become ripe for adjudication until January 25, 2010. See Doc. 11.

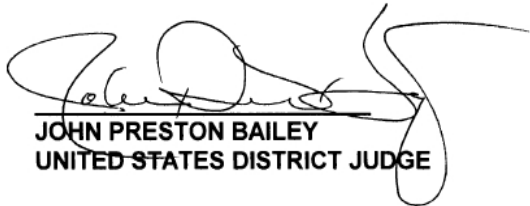
Having reviewed the above, this Court is of the opinion that the Joint Motion to Stay [Doc. 13] should be, and is, hereby **GRANTED**. Accordingly, this matter is hereby **STAYED** pending resolution of the motion to compel arbitration. As such, this Court's First

Order and Notice Regarding Discovery and Scheduling [**Doc. 4**] is hereby **VACATED**.

It is so **ORDERED**.

The Clerk is hereby directed to transmit copies of this Order to counsel of record.

DATED: January 8, 2010.



JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE